

**REMARKS**

In the Restriction Requirement mailed May 31, 2007, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-14, drawn to a method for shaping network transmission, classified in class 370, subclass 235.
- II. Claims 15-20, drawn to a transmission rate-shaping system, classified in class 370, subclass 230.
- III. Claim 21-27, drawn to rate-shaping data structure system, classified in class 370, subclass 395.

Applicant elects, without traverse, Group I, claims 1-14. Applicant respectfully cancels claims 15-27 (Groups II and III) without prejudice or disclaimer, and reserves the right to reintroduce them in one or more Divisional applications at a later date.



RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/734,703

Filing Date: December 12, 2003

Title: TECHNIQUES FOR SHAPING DATA TRANSMISSION RATES

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Dkt: 1565.063US1

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date July 2, 2007

By Joseph P. Mehrle /  
Joseph P. Mehrle  
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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2 day of July 2007.

Name Peter Rebuffoni

Signature [Signature]